



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,548	09/27/2001	David S. Parkman	7784-000309	3883

27572 7590 05/31/2005

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

EXAMINER

SCUDERI, PHILIP S

ART UNIT PAPER NUMBER

2153

DATE MAILED: 05/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/965,548

Applicant(s)

PARKMAN, DAVID S.

Examiner

Philip S. Scuderi

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11 is/are pending in the application.
- 4a) Of the above claim(s) 10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. This Office action is in response to applicant's amendment filed on April 4, 2005. Claim 10 has been cancelled. Claims 1-7 and 11 are amended.

Drawings

2. Examiner acknowledges that applicant has submitted formal drawings that correct the minor informalities. Examiner has withdrawn the objections to the drawings.

Claim Rejections - 35 USC § 112

3. Examiner acknowledges that applicant has amended the claims to overcome the rejections. Examiner has withdrawn the 112 rejections.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Linksys WAP11 Instant Wireless Network Access Point – PracticallyNetworked.com (Tim Higgins, “<http://practicallynetworked.com/review.asp?pid=400>”, relevant update 9/1/2001, hereinafter “Higgins”) in view of Tjalldin et al. (U.S. 2004/0014497, hereinafter “Tjalldin”).

6. With respect to claim 1, Higgins teaches a wireless apparatus for connecting a computing device of an individual to a wireless network comprising:

- a first connector interface cable comprising a connector for connecting the apparatus to a networking interface circuit of the computing device (In access point client mode the WAP11 was inherently meant to be connected to a computing device such as a laptop by an Ethernet cable.) for receiving a first networking signal from the computing device (the signal sent from the computing device to the WAP11 along the ethernet cable), wherein the networking interface circuit is housed in the computing device (an Ethernet port of the computing device); and
- a conversion module for receiving a first networking signal (the signal received by the WAP11's Ethernet interface when functioning in access point client mode) from a connector interface cable (the Ethernet cable) and converting the first networking signal into a second networking signal (the wireless signal that the WAP11 uses in order to act as a wireless client).

7. Higgins teaches that the apparatus interfaces said computing device to said wireless network without requiring modification to hardware of the computing device (p. 3 "Access Point Client – This mode lets the WAP11 act as a Wireless client instead of an Access Point or bridge. Handy for connecting devices that only have an Ethernet interface."). However, Higgins does not teach a wireless networking interface card disposed in said conversion module for interfacing the second networking signal with the wireless network, to thereby interface the computing device to the wireless network. Nonetheless, a wireless networking interface card disposed in a conversion

Art Unit: 2153

module of a wireless apparatus for interfacing a networking signal with a wireless network was well known, as evidenced by Tjalldin. In a similar art, Tjalldin discloses a wireless networking interface card (fig. 1 #5) in communication with a conversion module of a wireless connectivity apparatus (fig. 4 #410) for interfacing a networking signal with a wireless network (§ 0019 lines 1-4). Given the teachings of Tjalldin it would have been obvious to one of ordinary skill in the art to modify the wireless apparatus taught by Higgins by adapting the apparatus to comprise the wireless networking interface card taught by Tjalldin in communication with the conversion module for interfacing the second networking signal with the wireless network – obtaining the invention of claim 1. The motivation for doing so would have been so that the wireless network that the apparatus connects to could be changed without replacing the device. For example, a wireless networking card that supports the 802.11b standard could be replaced with a wireless networking card that supports Bluetooth.

8. With respect to claim 2, Higgins in view of Tjalldin teach the apparatus applied to claim 1. Tjalldin further discloses a connector interface port for receiving the wireless networking interface card (fig. 1 #3), wherein the connector interface port receives a networking signal and sends the networking signal to the wireless networking interface card (inherent in § 0014 lines 4-6).

9. With respect to claim 3, Higgins in view of Tjalldin teaches the apparatus applied to claim 1. Tjalldin further discloses a power source connected to a conversion module (fig. 3 #6) for providing power to the conversion module (necessary in order for the apparatus to function).

10. With respect to claims 4, Higgins in view of Tjalldin teaches apparatus applied to claim 2. Tjalldin further discloses a power source connected to a conversion module and to the connector interface port (fig. 3 #6) for providing power to the wireless networking interface card (necessary in order for the networking interface card to function).

11. With respect to claim 5, Higgins in view of Tjalldin teaches the wireless connectivity apparatus applied to claim 3. Tjalldin further discloses that the power source is a battery (§ 0015 line 2) disposed within a housing of the apparatus (fig. 1 #1).

12. With respect to claim 6, Higgins in view of Tjalldin teaches the wireless connectivity apparatus applied to claim 1. Tjalldin further discloses that the wireless networking interface card comprises an industry standard specification for the wireless network (§ 0016 lines 3-5).

13. With respect to claim 7, Higgins teaches a method for providing wireless network connectivity on a mobile platform, wherein an individual on the mobile platform is able to connect their computing device to a wireless network without modification to hardware within their computing devices, comprising the steps of:

- placing the computing device in connection to the wireless network wherein the computing device has disposed within its housing a network interface for connecting the computing device to a wired network (p. 3 “Access Point Client - This mode lets the WAP11

Art Unit: 2153

act as a Wireless client instead of an Access Point or bridge. Handy for connecting devices that only have an Ethernet interface.”, the ethernet port of the WAP11); and

- o connecting the network interface of the computing device to a wireless connectivity device (inherent in p. 3 “Access Point Client - This mode lets the WAP11 act as a Wireless client instead of an Access Point or bridge. Handy for connecting devices that only have an Ethernet interface.”); and

- o using the wireless connectivity device to interface the computing device to the wireless network (inherent in p. 3 “Access Point Client - This mode lets the WAP11 act as a Wireless client instead of an Access Point or bridge. Handy for connecting devices that only have an Ethernet interface.”).

14. Higgins does not expressly teach that the computing device is a portable computer. The examiner takes Official Notice that “connecting a portable computer to a wireless connectivity device” in a computer networking environment was well known in the art at the time the invention was made.

15. Higgins does not teach interfacing to the wireless network through a wireless networking card supported by the wireless connectivity device. Nonetheless, interfacing to a wireless network through a wireless networking card supported by a wireless connectivity device was well known, as evidenced by Tjalldin. In a similar art, Tjalldin teaches interfacing to a wireless network (¶ 0019 lines 1-4) through a wireless networking card (fig. 1 #5) supported by a wireless connectivity device (fig. 1 #1). Given the teachings of Tjalldin it would have been obvious to one of ordinary skill in the art to modify the apparatus taught by Higgins by adapting the apparatus to comprise the wireless networking interface card taught by Tjalldin in for

Art Unit: 2153

interfacing with the wireless network – obtaining the invention of claim 7. The motivation for doing so would have been so that the wireless network that the apparatus connects to could be changed without replacing the device. For example, a wireless networking card that supports the 802.11b standard could be replaced with a wireless networking card that supports Bluetooth.

16. With respect to claim 11, Higgins discloses a method for providing wireless network connectivity on a mobile platform to a portable computing device on an individual, wherein the computing device includes a network interface circuit, the method comprising the steps of:

- providing an independent apparatus having a circuit for converting signals output from a network port of said computing device, from a first format into a second format suitable for use with an existing wireless network (inherent in p. 3 “Access Point Client - This mode lets the WAP11 act as a Wireless client instead of an Access Point or bridge. Handy for connecting devices that only have an Ethernet interface.”); and
- using a cable to interface said independent apparatus to said network port of said computing device (inherent in p. 3 “Handy for connecting devices that only have an Ethernet interface.”).

17. Higgins does not disclose using a network card disposed in the independent apparatus and operably associated with said independent apparatus for receiving said signals in said second format and transmitting said signals to said wireless network. Nonetheless, using a network card disposed in an independent apparatus and operably associated with an independent apparatus for receiving signals in a second format and transmitting said signals to a wireless network was well known, as evidenced by Tjalldin. In a similar art, Tjalldin discloses a network card (fig. 1 #5)

Art Unit: 2153

disposed in and operably associated with an independent apparatus (fig. 1 #1) for receiving signals in a format and transmitting said signals to a wireless network (§ 0005). Given the teachings of Tjalldin it would have been obvious to one of ordinary skill in the art modify method the taught by Higgins by using a network card disposed in the independent apparatus and operably associated with said independent apparatus for receiving said signals in said second format and transmitting said signals to said wireless network as taught by Tjalldin – obtaining the invention of claim 11. The motivation for doing so would have been so that the second format could be changed without replacing the wireless connectivity device. For example, a wireless networking card that supports the 802.11b standard could be replaced with a wireless networking card that supports Bluetooth.

18. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being obvious over Higgins in view of Tjalldin, and further in view of Bork et al. (U.S. Patent Number 6,633,932, hereinafter “Bork”).

19. With respect to claim 8, Higgins in view of Tjalldin teaches the method for providing wireless network connectivity on a mobile platform applied to claim 7. Higgins does not teach providing power to the wireless connectivity device through a rechargeable battery cell disposed within the wireless connectivity device. Nonetheless, providing power to a wireless connectivity device through a rechargeable battery cell disposed within the wireless connectivity device is well known, as evidenced by Bork. In a similar art, Bork discloses providing power to a wireless

Art Unit: 2153

connectivity device through a rechargeable battery cell disposed within the wireless connectivity device (col. 4 lines 29-33). Given the teachings of Bork it would have been obvious to one of ordinary skill in the art to provide power to the wireless connectivity device taught by Higgins through a rechargeable battery cell disposed within the wireless connectivity device – obtaining the invention of claim 8. The motivation for doing so would have been so that the wireless connectivity device does not require a power outlet in order to operate, making it more portable.

20. With respect to claim 9, Higgins in view of Tjalldin, and further in view of Bork teaches the method for providing wireless network connectivity on a mobile platform applied to claim 8. Bork further discloses providing power to a wireless connectivity device through a connection between a computing device and the wireless connectivity device wherein the connection is to a universal serial bus disposed in the computing device (col. 6 lines 38-42). Given the further teachings of Bork it would have been obvious to one of ordinary skill in the art to provide power to the wireless connectivity device taught by Higgins in view of Bork by providing a second connection between the computing device and the wireless connectivity device, the second connection forming an interface with a universal serial bus disposed in the computing device as taught by Bork – obtaining the invention of claim 9. The motivation for doing so would have been to power the wireless connectivity device in the case that the wireless connectivity device runs out of battery power.

Response to Amendment

Art Unit: 2153

21. Applicant's arguments filed April 4, 2005 have been fully considered and are not persuasive.

22. Applicant contends that Higgins nor Tjalldin either alone or in combination do not teach all the limitations of either claim 1 or claim 11. Examiner respectfully disagrees.

23. Applicant contends that Examiner has incorrectly analyzed Higgins "as the use of the Ethernet cable in Higgins is to enable the user to connect a primary computing device to the wireless hub to create a network, but does not enable the primary computing device to connect to the wireless network through a wireless networking card".

24. In Access Point Client mode, the use of the Ethernet cable in Higgins is to enable the user to connect a primary computing device to the WAP11 to connect to a wireless network (p. 3 "This mode lets the WAP11 act as a **Wireless client instead of an Access Point** or bridge. Handy for connecting devices that only have an Ethernet interface." (emphasis added)).

25. Applicant further notes that Tjalldin "does not remedy the shortcoming of Higgins". However, Tjalldin does remedy the shortcoming of Higgins. Tjalldin discloses a gateway that interfaces with a wireless network using a network interface card (see title and fig. 1). It would have been obvious to provide the apparatus taught by Higgins with such a wireless networking card for making the wireless network selectable (Tjalldin ¶ 0017 lines 12-14).

26. Accordingly, Higgins in combination with Tjalldin do teach the invention claimed in claims 1 and 11.

Art Unit: 2153

27. Applicant has amended claim 7 to include “connecting the network interface of the computing device to a wireless connectivity device, and using the wireless connectivity device to interface the portable computing device to the wireless network through a wireless networking card supported by the wireless connectivity device.” This limitation is obvious in view of Tjalldin, as applied above.

28. Applicant contends that claims 8 and 9 are in condition for allowance because the claims are dependent upon an allowable claim. However, as discussed above claim 7 is not in condition for allowance. Examiner has repeated the rejections of claim 8 and 9 with the addition of the Tjalldin modification in the new rejection of claim 7.

Conclusion

29. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

30. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2153


31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip S. Scuderi whose telephone number is (571) 272-5865.

The examiner can normally be reached on Monday-Friday 8am-5pm.

32. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

33. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PSS



Dung C. Dinh
Primary Examiner